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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/820,729	04/09/2004	Sheng-Hsuan Liao	MR1035-1441	9021
4586 7590 11/28/2007 ROSENBERG, KLEIN & LEE 3458 ELLICOTT CENTER DRIVE-SUITE 101 ELLICOTT CITY, MD 21043			EXAMINER GREENE, JOSEPH L	
			ART UNIT 4152	PAPER NUMBER
			MAIL DATE 11/28/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/820,729

Applicant(s)

LIAO ET AL.

Examiner

Joseph L. Greene

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 04/09/2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. Claims 1 – 14 are pending in this application.

### ***Claim Objections***

2. Claims 1, 6, and 7 are objected to for lack of an antecedent basis.

(a) Claim 1 recites the limitation "the newsletter content."

(b) Claims 6 and 7 recite the limitation "the content provider."

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. **Claims 1-14 are rejected under 35 U.S.C. 102(e) as being anticipated by Tucciarone et al (Pre-Grant Publication No US 2004/0122730 A1) hereinafter Tucci.**

5. With respect to claim 1, Tucci discloses a method for a newsletter subscription system of a multimedia messaging service ([0005], lines 1-10) comprising: viewing a list of available electronic newsletters in a subscription portal, by a subscriber ([0007], lines 2-7; [0016], lines 1-5; [0024], lines 3-10); selecting to subscribe to at least one of the

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available electronic newsletters, by the subscriber; ([0014], lines 1-8 and [0102] lines 1-10, the latter reference describes advertisements from different websites and etc.) obtaining content of the subscribed electronic newsletters and a list of subscribers according to delivery time, by a push portal ([0013], lines 1-8); sending the newsletter content according to the list of subscribers by the push portal, to a multimedia messaging service center via a common service platform ([0014] lines 5-7, the clearinghouse is the messaging service center); and sending the newsletter content to each subscriber's mobile phone, by the multimedia messaging service center (Table A, page 17, Section 13A, Line 4).

6. As for claim 2, Tucci discloses before the subscriber can use wireless application protocol (WAP) ([0142] lines 1-3) via a mobile phone to enter the subscription portal and proceed with subscribing, the subscriber has to login through an authorization server ([0083] lines 1-3).

7. As for claim 3, Tucci discloses before the subscriber can use the world wide web via a computer to enter the subscription portal and proceed with subscribing, the subscriber has to login through an authorization server ([0083] lines 1-3).

8. As for claim 4, Tucci discloses when the subscriber subscribes to the electronic newsletters in the subscription portal, the subscription portal switches operation to a newsletter content provider according to a selected type of

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newsletter ([0014], lines 1-8, web portals are designed to provide access to a website. Likewise, the providers provide their web portals to the clearinghouse for subscriber access).

9. As for claim 5, Tucci discloses the subscriber can choose the delivery time when subscribing to the electronic newsletters ([0013], lines 1-8).

10. As for claim 6, Tucci discloses after the subscriber completes the subscription, the content provider sends subscription data according to a selected type of newsletter, to the common service platform to be used as subscriber login data; and whereby, after logging in, the subscription portal requests the common service platform to send the subscription data and displays the data on the subscription portal ([0022], lines 7-13).

11. As for claim 7, Tucci discloses the subscriber can use unstructured supplementary service data protocol (USSD) via a mobile phone to enter the subscription portal and proceed with subscribing (USSD is a standard protocol, likewise, Table A, page 17, Section 13A, Line 4 discusses using a mobile phone); whereby, the subscription portal displays a code for newsletters, in order for the subscriber to select (a code or word is an obvious use for representation of items on a website); and whereby, after completing subscription operation, the subscription portal sends the subscription data according to selected newsletter type to the content

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provider unit of the chosen newsletter ([0014], lines 1-8, web portals are designed to provide access to a website. Likewise, the providers provide their web portals to the clearinghouse for subscriber access).

12. As for claim 8, Tucci discloses the push portal can also control newsletter transmission, and the push portal can only have one setting at a time as a transmission channel to transmit electronic newsletter content and each transmission channel can only send to one subscriber flow ([0013], lines 1-8).

13. As for claim 9, Tucci discloses when the common service platform receives the content of the electronic newsletters from the push portal, the common service platform sends a reply to the push portal ([0022], lines 7-13 and [0088], lines 1-4).

14. As for claim 10, Tucci discloses when the multimedia messaging service center receives the content of the electronic newsletters from the common service platform, the multimedia messaging service center sends a reply to the common service platform ([0022], lines 7-13 and [0088], lines 1-4).

15. As for claim 11, Tucci discloses whereby the content of the electronic newsletters in the content provider is a compressed files (compressing files is for data transfer is a standard practice in common use).

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16. As for claim 12, Tucci discloses whereby the compressed file is in zip format (using the zip format for file compression is a standard practice in common use).

17. As for claim 13, Tucci discloses whereby the content provider is located remotely ([0102] teaches a system where web store fronts for remote providers are located).

18. As for claim 14, Tucci discloses whereby, the subscriber can view a list of newsletters already subscribed to, on the subscription portal ([0014], lines 1-8 and [0102], lines 1-10, these discuss the list subscription system. Furthermore, [0022], lines 7-13 discuss keeping track of subscriptions).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph L. Greene whose telephone number is (571) 270-3730. The examiner can normally be reached on Monday - Thursday from 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nabil El-Hady can be reached on (571) 272-3963. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JLG

  
NABIL M. EL-HADY  
SUPERVISORY PATENT EXAMINER